

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
v. § No. 4:22-CR-110
MICHAEL HILL, et al. § Judge Kernodle

AGREED MOTION TO CONTINUE TRIAL

The United States files this agreed motion to continue the case. This 19-defendant case was indicted in May 2022, and presently, a pre-trial conference with trial to follow thereafter is scheduled for November 7, 2022. Given a trial scheduling conflict, the prospect of multiple pleas, and the volume of discovery in the case, the Government requests a continuance.

First, counsel for the Government has a conflict with another case that has been specially set for the trial on the same day as this matter (*United States v. Page, et al.*, 4:20CR296). Given the age and procedural posture of that matter, the Government anticipates that case will definitely proceed to trial.

Second, the discovery in this case is voluminous, and includes dozens of financial records, interview reports, loan applications, audio recordings, and recently obtained images of electronic devices.¹ It is the Government's understanding that defense counsel

¹ Given the scope of the discovery and other related issues, the Government anticipates filing a motion for complex case designation in this matter as well.

is still reviewing these materials.

Third, based on discussions with defense counsel over the past several weeks, the Government anticipates that several of the defendants' cases will be resolved without a trial. The Government and counsel are in the process of negotiating and finalizing the terms of such resolutions and anticipates filing these in the coming weeks.

For these reasons, the Government, with concurrence from defense counsel, seeks a 90-day continuance, at which point the parties will be able to assess how many, if any, defendants will proceed to trial, and how much time would be needed to for the trial. This motion is not made for delay but so that justice may be done. The Government respectfully requests that this Court grant the continuance.

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF CONFERENCE

This is to certify that the Assistant United States Attorney for the Government, Anand Varadarajan, has conferred with the following defense counsel, all of whom agree to the motion:

Rafael De La Garza
Charles Lindley Woods
Richard Daniels Howard
James Lee Bright
David W. Klaudt
Phillip A. Linder
Brian Roark
John Hunter Smith
Scott E. Edgett
Daniel K. Hagood
Patricia Garza Burrus
Mark D. Grosso
Ken Smith
Heath Enix Hyde
Cordt Cullen Akers
Kambria R. Jones Morgan
Eric A. Durojaiye

The only counsel who opposes the motion is Joel Petrazio, counsel for Eric Marascio.

/s/ Anand Varadarajan
Anand Varadarajan

CERTIFICATE OF SERVICE

I certify a true and correct copy of this motion was served on defense counsel by electronic filing (CM/ECF) on this 23rd day of September 2022.

/s/ Anand Varadarajan
Anand Varadarajan